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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR- 17, PANCHKULA – 134109

Notification

The 23rd May, 2023

No. SEC/4E-II/2023/1131.— The Government of Haryana, Development and Panchayat Department has issued notification No.S.O.32/H.A. 11/1994/S.211/2023, dated 23rd May, 2023, under section 211 of the Haryana Panchayati Raj Act, 1994 vide which the Governor of Haryana has directed that general elections of Panches and Sarpanch of Gram Panchayat, Sambhalkha, Block Ladwa, District Kurukshetra must be held by 15th June, 2023.

2. Now, therefore, I, Dhanpat Singh, State Election Commissioner, Haryana in exercise of the powers vested under clause (1) of article 243K of the Constitution of India, sub-section (1) of section 161 and sub-section (2) of section 211 of the Haryana Panchayati Raj Act, 1994, rule 24 of the Haryana Panchayati Raj Election Rules, 1994 and all other powers enabling me in this behalf, hereby specify time schedule for conduct of general elections of all Panches and Sarpanch of Gram Panchayat Sambhalkha, Block Ladwa, District Kurukshetra, as per 'Table-A' given below:-

TABLE –A

Sr. No.	Programme	Date
1.	Date on which notice shall be published by the Deputy Commissioner-cum-District Election Officers (Panchayat) in Form 2 or 3, as the case may be, for inviting nominations under rule 24 of the Haryana Panchayati Raj Election Rules, 1994.	25.05.2023 (Thursady)
2.	Dates on which nomination papers shall be presented under Rule 24(2)(i)	31.05.2023 (Wednesday) to 05.06.2023 (Monday) (except 04.06.2023 (Sunday)) (10.00 AM to 3.00 PM)
3.	Dates on which the list of nomination papers received shall be pasted under rule 24(2) (ii)	31.05.2023 (Wednesday) to 05.06.2023 (Monday) (except 04.06.2023 (Sunday))

Sr. No.	Programme	Date
4.	Date by which affidavit/declaration shall be furnished by the candidates in Form 4-A, to the concerned Returning Officer. (rule 27)	31.05.2023 (Wednesday) to 05.06.2023 (Monday) (except 04.06.2023 (Sunday))
5.	Date on which the nomination papers shall be scrutinized under rule 24(2)(iii)	06.06.2023 (Tuesday) 10.00 AM onwards
6.	Last date for withdrawal of candidature by a candidate under rule 24(2)(iv)	07.06.2023 (Wednesday) (upto 3.00PM)
7.	Date on which symbols shall be allotted to the contesting candidates.	07.06.2023 (Wednesday) (after 3.00 PM)
8.	Date on which list of the contesting candidates shall be pasted under rule 24(2)(v)	07.06.2023 (Wednesday)
9.	Dates on which the poll, if any, shall be held under rule 24(2)(vi)	15.06.2023 (Thursday)
10.	Timing of the poll	Between 7.00 A.M. to 6.00 P.M.
11.	Counting of votes	Immediately after the close of poll.
12.	Declaration of result	Immediately after the completion of counting.

3. It is further directed that:-

- i. the Deputy Commissioners-cum-District Election Officers (Panchayat), Kurukshetra shall by notice in Form-2 or 3, as the case may be, specify the above programme in the following manner, as per the provisions contained in the rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and will send a copy of the notice to the State Election Commission, Haryana by email:-
 - (a) last date, time and place of making nominations;
 - (b) the date, time and place for scrutiny of the nomination papers;
 - (c) date and time for withdrawal of candidature;
 - (d) preparation of list of contesting candidates and allotment of symbols;
 - (e) date and time during which the poll shall be held and
 - (f) date, time and place of counting of votes.
- ii. nomination papers for the election to Panches and Sarpanch of Gram Panchayat, Sambhalkha shall be filed and received at the concerned Gram Panchayat Headquarter by the Returning Officer or the authorized Assistant Returning Officer (Panchayat).
- iii. the work of scrutiny of nomination papers should not be delegated to the concerned Assistant Returning Officer.
- iv. the Returning Officer shall supply nomination form in Form 4 along with Form 4A (declaration) and 4B (Affidavit) on demand to the contesting candidates, contesting the election of Panch and Sarpanch.
- v. immediately after the withdrawal of candidature, the concerned Returning Officer shall prepare a list of contesting candidates in alphabetical order in Hindi in Devnagri script in the prescribed forms i.e. in Forms 6, 7, 8 and 9, as the case may be, and shall mention the symbol allotted to the contesting candidates against his/her name at column No. 4. After the allotment of symbol, the signature of the contesting candidates or his election agent should be obtained in the relevant form as token to the fact that the candidate(s) have been informed about the symbol allotted to him/her.

4. In pursuance of the provisions of rule 39 of the Haryana Panchayati Raj Election Rules, 1994, I also hereby specify that general election for the posts of Panches shall be held through ballot papers and election for the post of Sarpanch shall be held by polling and recording of votes through Electronic Voting Machines (EVMs).

5. It is further directed that the option "None of the above (NOTA)" on EVMs/Ballot papers" shall be implemented for the elections of Sarpanch of Gram Panchayat, Sambhalkha. Instructions issued by the State Election Commission, Haryana vide its order No. SEC/3E-II/2017/734-811, dated 15th March, 2017 and further modified under Endst. No. SEC/4E-II/2022/651-735, dated 07th July, 2022, in this regard must be followed meticulously during the general elections. However, the salient features of the NOTA are as under:

- (i) NOTA shall be treated as a 'Fictional Electoral Candidate' while declaring the election results.

- (ii) In case, a contesting candidate and the “Fictional Electoral Candidate’ i.e. NOTA securing highest and equal number of valid votes; then the contesting candidate (not NOTA) shall be declared as elected.
- (iii) If in any election, all the contesting candidates individually receive lesser votes than the ‘Fictional Electoral Candidate’ i.e. NOTA, then none of the contesting candidates will be declared as elected.
- (iv) In case of situation arising under sub-section (iii) above, fresh election shall be held for that seat. Further all such contesting candidates who secured less votes than NOTA shall not be eligible to re-file the nomination/contest the re-election.
- (v) However, if in re-election, NOTA again gets highest number of votes, then re-election will not be taken for second time and the contesting candidate securing the highest number of votes (excluding NOTA) shall be declared as elected.

The following procedure shall be followed in such circumstances,

- (i) If a Returning Officer, upon completion of counting of votes but before declaration of result, finds that NOTA has received higher valid votes than all other contesting candidates individually; then he (i.e. Returning Officer) shall not declare the result for that particular seat/s and shall immediately send his report to State Election Commission.
- (ii) Upon receipt of such report, the State Election Commission shall after satisfaction, declare the fresh election programme for the said seat/s.

6. The State Election Commission, Haryana further directs that ballot papers for the post of Panches and Sarpanch of Gram Panchayat, Sambhalkha shall be printed strictly in the colour/paper and design as specified by the State Election Commission, Haryana vide its notification No.SEC/E-II/SA/2022/2269, dated 12th September, 2022 i.e. ballot papers for the post of Panches of Gram Panchayat shall be printed in black ink on white paper; ballot paper for the post of Sarpanch in blue ink on white paper or on respective coloured paper with black ink. The design of ballot paper to be used on Electronic Voting Machine and design of tendered ballot paper of an election of Sarpanch of Gram Panchayat has been specified in the above said notification.

7. It is further directed that all voters of the respective area who have been issued the electoral photo identity cards for the State Legislative Assembly and Lok Sabha elections and whose electoral photo identity card numbers have been mentioned in the voters list of Gram Panchayat Sambhalkha shall also have to produce these cards to exercise their franchise when coming to the polling stations for voting, the polling for which is scheduled to take place on **15.06.2023**. In case, electoral photo identity card (EPIC) of any voter is not available then he/she may also be allowed to cast his/her vote on production of any of the following photo identity papers:-

i.	Aadhar Card issued by UIDAI
ii.	Driving License,
iii.	Income Tax PAN Card,
iv.	Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
v.	Pass Book of an account, having photograph, opened in a scheduled Bank or post office,
vi.	Freedom Fighter Identity Card having photograph,
vii.	SC/ST/OBC certificate having photograph, issued by competent authority,
viii.	Certificate of Physical Handicap having photograph issued by the Competent Authority,
ix.	Arms License having photograph,
x.	Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
xi.	Property documents with photographs such as Pattas, Registered Deeds etc.,
xii.	Pension Documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
xiii.	Health Insurance Scheme Smart Cards with Photograph,
xiv.	Ration Cards or any other similar documents establishing the identity of the electors to the satisfaction of the Presiding Officer, having photograph.
xv.	Passport

In case of an odd elector, who does not possess any of the above photo identity cards, he/she would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

8. It is further directed to make the following security arrangements for conduct of free, fair and peaceful election:-

- i. Adequate police personnel shall be deployed at the polling stations, counting centers for security and maintenance of law and order to ensure free, fair and peaceful election.
- ii. Daily law and order report shall be sent to the State Election Commission, Haryana till the completion of election process.
- iii. A copy of the plan for deployment of Executive Magistrates, Sector Magistrate and police personnel must also be sent to the State Election Commission, Haryana well in time.
- iv. Provide security to the contesting candidates, if they so desire.
- v. It shall be ensured that no untoward incident takes place during elections.

9. In order to curb undesirable and illegal activities, the State Election Commission, Haryana hereby imposes restrictions to hire or procure not more than two vehicles by a candidate, contesting the election for the post of Sarpanch/Panch, whether on payment or otherwise, for use by a contesting candidate himself/herself or his/her election agents on the day of poll during the election. It is also stated that :-

- i. The expression "Vehicle" means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical/electrical power or otherwise, and whether used for drawing other vehicle or otherwise.
- ii. The contesting candidates shall be issued permits as per proforma prescribed by the State Election Commission, Haryana appended herewith. The permits shall be issued to the contesting candidates at least two days before the day of poll.
- iii. The District Administration shall keep a close watch on the vehicles used by persons accompanying the contesting candidates and their supporters to prevent any likely mischief, including criminal activities such as carrying of illegal arms and weapons. If any of these vehicles, either of a contesting candidate or a private owner, is found to be involved in any such act or for carting anti-social elements with the intention to intimidate or create terror in the minds of voters, it shall be the duty of local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, appropriate legal action against the owner and or occupant/occupants of such vehicle(s) and the candidate who is/are involved in such illegal activities shall also be taken as per law.
- iv. The District Administration shall launch a drive for checking of vehicles immediately upon announcement of the elections and shall continue the drive till completion of the election process.
- v. Permit for use of vehicles by contesting candidates during election shall be issued in the following performa :-

PROFORMA

PANCHAYAT GENERAL ELECTIONS, 2023

Permit No. _____

*Zila Parishad/Panchayat Samiti/Gram Panchayat _____

Name of Candidate _____

*Sarpanch/Ward No. _____ Vehicle Number _____

Returning Officer

Seal

*Strike out the inappropriate alternative

10. The State Election Commission, Haryana further directs that the guidelines pertaining to “facilitation of voters at polling stations on polling day” issued vide No. SEC/1ME/2021/1238-1281 dated 11.06.2021 may be complied with meticulously during the General elections of Gram Panchayat, Sambhalkha, Block Ladwa, District Kurukshetra.

11. The State Election Commission, Haryana further directs that the following educational qualification are specified under section 175 of the Haryana Panchayati Raj Act, 1994 for the person who intends to contest the election of Panchayat Raj Institutions:-

Name of the Post	Category		
	Unreserved/ Backward Classes	Women and Scheduled Caste	Scheduled Caste (Women)
	Should have passed the following class/examination		
Panch	10th	8th	5th
Sarpanch	10th	8th	8th

12. The revised expenditure limit to be incurred by the contesting candidate or his/her authorized election agent(s) for the election of Panchayati Raj Institutions must be brought to the notice of all contesting candidates.

Name of Panchayati Raj Institutions	Member
Panch	Rs.50,000
Sarpanch	Rs.2,00,000

13. It is further directed that the Deputy Commissioner-cum-District Election Officer (Panchayat), Kurukshetra shall send the names of elected persons to this State Election Commission, Haryana within two days from the date of declaration of election result, in compact disk and printed form i.e. both Hindi and English as per procedure prescribed by the State Election Commission vide its order No.SEC/3E-II/2011/748, dated 16th May, 2011. The names received thereafter will not be considered for notification by the State Election Commission, Haryana and the Deputy Commissioner-cum-District Election Officer (Panchayat) shall personally be held responsible for any consequences arising thereof.

14. It is also further directed that the Deputy Commissioner-cum-District Election Officer (Panchayat), Kurukshetra shall send a report of the contesting candidates, who have filed and not filed their election expenditure statement within 30 days from the declaration of election result, as required under the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996 issued under Endst.No.SEC/3E-II/96/7675-97, dated 7th June, 1996. The report in this regard must reach this State Election Commission, Haryana within 45 days after the declaration of election result.

15. The State Election Commission, Haryana further directs that the instructions issued by the Government from time to time pertaining to COVID-19 pandemic be followed meticulously and if such situation arises at any stage during elections, the Deputy Commissioner, Kurukshetra may issue any instruction/guideline for the safety of general public by taking into account local conditions, wherever required.

DHANPAT SINGH,
State Election Commissioner, Haryana.